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AP3 Rec'd PCT/PTO 16 JUN 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

:

Takayuki DOEN et al.

: **Mail Stop: PCT**

Serial No. NEW

: Attorney Docket No. 2006_0852A

Filed June 16, 2006

:

INJECTABLE COMPOSITION
[Corresponding to PCT/JP2004/018956
Filed December 13, 2004]

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY LEGAL EXPENSE IN THE
FEE FOR THIS FAPER TO DEPOSIT
ACCOUNT NO. 23-0975.

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed, except a copy is not provided for:

each U.S. Patent and U.S. Patent application publication;

each reference previously cited in the international application PCT/_____; and/or

each reference previously cited in prior parent application Serial No. _____.

1a. This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

APS Rec'd 2010 16 JUN 2006

and thus no certification and/or fee is required.

1b. This Information Disclosure Statement is submitted
after the events of above paragraph 1a and prior to the mailing date of a final Office
Action or a Notice of Allowance or an action which otherwise closes prosecution in the
application, and thus:

- (1) the certification of paragraph 2 below is provided, **or**
- (2) the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. This Information Disclosure Statement is submitted:
after the mailing date of a final Office Action or Notice of Allowance or action which
otherwise closes prosecution in the application, and prior to payment of the issue fee, and
thus:

the certification of paragraph 2 below is provided, and
the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

2. It is hereby certified

- a. that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
- b. that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

10/583321

AP3 Rec'd PCT/PTO 16 JUN 2006

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:

- a full or partial English language translation submitted herewith,
- a foreign patent office search report (in the English language) submitted herewith,
- the concise explanation contained in the specification of the present application at page 1,
- the concise explanation set forth in the attached English language abstract,
- the concise explanation set forth below or on a separate sheet attached to the reference:

US Patent No. 5,223,515 corresponds to EP 0356143;

US Patent Publication Application No. 2003/0191157 corresponds to EP 1 310 252;

GB Patent No. 2 343 376 corresponds to FR 2 785 188; and

CA Patent No. 1,283,607 corresponds to EP 0236822.

5. A foreign patent office search report citing one or more of the references is enclosed.

Respectfully submitted,

Takayuki DOEN et al.

By

Warren M. Cheek, Jr.
Warren M. Cheek, Jr.
Registration No. 33,367
Attorney for Applicants

WMC/JFW/akl
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
June 16, 2006

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AP3 REC'D PCT/PTO 15 JUN 2006

Sheet 1 of 1

INFORMATION DISCLOSURE STATEMENT

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)

Date Submitted to PTO: June 16, 2006

ATTY DOCKET NO.
2006_0852ASERIAL NO.
NEWAPPLICANT
Takayuki DOEN et al.FILING DATE
June 16, 2006

GROUP

U.S. PATENT DOCUMENTS

| *EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|-------------------|----|-----------------|---------|---------------|-------|----------|----------------------------|
| /ESO/ | AA | 2003/0191157 | 10/2003 | Doen et al | | | |
| /ESO/ | AB | 5,223,515 | 6/1993 | Mikura et al. | | | |
| /ESO/ | AC | 4,073,907 | 2/1978 | Guzek | | | |
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FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION YES NO |
|-------|----|-----------------|--------|---------|-------|----------|--------------------|
| /ESO/ | AH | 2 343 376 | 5/2000 | GB | | | |
| /ESO/ | AI | 2 785 188 | 5/2000 | FR | | | |
| /ESO/ | AJ | 1 310 252 | 5/2003 | EP | | | |
| /ESO/ | AK | 0 356 143 | 2/1990 | EP | | | |
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| /ESO/ | AM | 1,283,607 | 4/1991 | CA | | | |

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

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| | AN | |
| | AO | |
| | AP | |

EXAMINER

/Eric Olson/

DATE CONSIDERED

10/06/2008

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.